

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-70048

5:03-CV-284

United States Court of Appeals
Fifth Circuit
FILED

February 15, 2006

JOE FRANCO GARZA

Charles R. Fulbruge III
Clerk

Petitioner - Appellee

v.

DOUG DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
CORRECTIONAL INSTITUTIONS DIVISION

Respondent - Appellant

Appeal from the United States District Court for the
Northern District of Texas, Lubbock

CLERK, U.S. DISTRICT COURT
By _____
Deputy

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of
February 15, 2006, for want of prosecution. The appellant failed
to timely file appellant's brief and record excerpts.

CHARLES R. FULBRUGE III
Clerk of the United States Court
of Appeals for the Fifth Circuit

By: Monica R. Washington
Monica Washington, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

ALSO COPY

Copy of Court Report to FBI Court

Monica R. Washington

2/15/06